

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ALEXANDER DUNLOP,

Plaintiff,

-versus-

**06 CV 433 (KMK)(JCF)**

THE CITY OF NEW YORK, et al.

Defendants.


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**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law and other materials, the undersigned will move this Court at the United States Courthouse, 500 Pearl Street, New York, New York 10007, as soon as counsel may be heard, for an order pursuant to Fed. R. Civ. P. 8(a)(2) and 12(b)(6) dismissing Count Ten of the Third Amended Complaint for failure to state a claim upon which relief may be granted and for failure to set forth a short and plain statement of the claim; and for any other relief that may be appropriate.

Dated: New York, New York  
May 20, 2008

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*Attorney For Defendants*

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